



June 5, 2013

Members of the Judiciary Committee  
Michigan House of Representatives  
House Office Building, Rm. 521  
Lansing, Michigan

Dear Chairman Cotter and the Judiciary Committee Representatives :

On behalf of the Michigan Coalition for Open Government, I am expressing our serious concerns on the secrecy requirements in House Bills 4694-4697.

Mental health issues are a pressing, societal concern. The care, treatment and handling of these individuals who are involved in the criminal justice system as adults or juveniles is a matter of public concern and can have fatal implications for the public health and safety. The sad events in Newtown, Aurora and Tucson demonstrate the importance for fostering adequate mental health diagnosis and treatment. However, hiding this information from public scrutiny when the individuals involved are part of a court and criminal justice process by specifically exempting information from disclosure under Michigan's Freedom of Information Act would be a grave error and disservice, even a danger, to all citizens of this state.

Without the data collected by the state court administrator's office, for example, how would the strengths and weaknesses, successes and failures of the proposed mental health court be evaluated? With no public scrutiny, a host of mistakes, irregularities and other problems could be ignored and left to fester. Public scrutiny also provides a safeguard for those individuals opting into the mental health court system.

Allowing mental health courts and the data collected to operate outside of the historic and traditional openness of courts in Michigan and throughout the United States would ignore nearly 250 years of American jurisprudence.

These courts will cost the taxpayers millions of dollars. Yet, as proposed, the people of the state of Michigan will be prevented from knowing anything about how this new court system operates.

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This flies in the face of the strong and powerful intent in the state's FOIA which reads in part (MCLA 15.231(2): *"It is the public policy of this state that all persons, except those persons incarcerated in state or local correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with this act. The people shall be informed so that they may fully participate in the democratic process."*

Please remove all language exempting the proposed mental health court from Michigan's Freedom of Information Act. Failure to do so would leave Michigan citizens uninformed and could lead to disastrous consequences.  
Thank you.

Sincerely,

A handwritten signature in black ink that reads "Jane Briggs-Bunting". The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke at the end.

Jane Briggs-Bunting  
President